

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2341 of 2022

Phula Padhan

....

Petitioner

Mr.Abhilash Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.J.P. Patra

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
23.03.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.54 of 2022 arising out of Binika P.S. Case No.55 of 2022 pending in the Court of learned J.M.F.C., Binika for alleged commission of offences under sections 498-A/323/307/313/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted

that the petitioner is an aged lady, who is the mother-in-law of the informant and the case arises out of a matrimonial dispute and the husband of the informant has already been taken into custody and in view of the nature of accusation against the petitioner, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the fact that the case arises out of a matrimonial dispute and the petitioner is a lady, keeping in view the proviso to section 437(1) Cr.P.C., I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall make herself available for interrogation by the I.O. as and when required and she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

